

MINUTES  
REGULAR MEETING

Of the City Council of the Town of Colma  
City Hall, 1198 El Camino Real  
Colma, CA 94014

**Wednesday, April 13, 2005**  
**7:30 p.m.**

PLEDGE OF ALLEGIANCE - CALL TO ORDER

ROLL CALL – Mayor Philip J. Lum, Jr. called the Regular Meeting of the City Council for the Town of Colma to order at 7:37 p.m.

Council Present – Mayor Philip Lum, Vice Mayor Helen Fisicaro and Council Members Frossanna Vallergera and Claro “Larry” R. Formalejo.

Council Absent – Joseph Silva.

Staff Present: – City Manager Diane McGrath, Chief of Police Robert Lotti, City Attorney Roger Peters, City Engineer Rick Mao, City Planner Malcolm Carpenter, Recreation Manager Brian Dossey, Deputy City Planner Andrea Ouse, and Deputy City Clerk Anita Landis Thorsnes.

**PUBLIC COMMENTS**

Open to Public Comments.

No public comments were made.

Closed to public.

**INTRODUCTIONS AND PROCLAMATIONS**

1. Vicente Gonzalez, Maintenance Worker I
2. Lori Burns, Human Resources Administrator
3. Proclamation Honoring the Life of Leo N. Tealdi on the Occasion of his Passing

## CONSENT CALENDAR

*Prior to consideration and discussion of the Consent Calendar, items 6, 8, 12, 14 and 16 were pulled from the Consent Calendar.*

4. Accept Minutes of March 9, 2005 Regular City Council Meeting
5. Approve Warrants List for March 1-31, 2005
6. Motion to Adopt Resolution 2005-22 ACCEPTING WORK, AUTHORIZING NOTICE AND CERTIFICATE OF COMPLETION, AND DIRECTING PAYMENT OF RETENTION FUNDS FOR JUNIPERO SERRA BEAUTIFICATION PROJECT, PHASE I
7. Motion to Adopt Resolution 2005-23 ACCEPTING WORK, AUTHORIZING NOTICE AND CERTIFICATE OF COMPLETION, AND DIRECTING PAYMENT OF RETENTION FUNDS FOR COLMA HISTORICAL PARK AND COMMUNITY CENTER, PHASE 2 – CIP PROJECT NO. 945
8. Motion to Adopt Ordinance 627 AMENDING THE COLMA MUNICIPAL CODE TO PROVIDE FOR AMENDMENTS TO THE TOWN OF COLMA DECEMBER 2003 ZONING MAP (*second reading*)
9. Motion to Adopt Resolution 2005-24 INTENTION TO DISCONTINUE USE OF PIT STOP PROPERTY AS PUBLIC PARK (APN 008-373-110) AND SETTING PUBLIC HEARING
10. Motion to Authorize the City Manager to Execute Agreement for Office Assistant Intern Program
11. Motion to Adopt Resolution 2005-25 RESOLUTION ESTABLISHING SALARIES, BENEFITS AND HOURS FOR CERTAIN UNREPRESENTED EMPLOYEES
12. Motion to Adopt Resolution 2005-26 AMENDING ELIGIBILITY RULES FOR ATTENDANCE AT ADULT HOLIDAY PARTY, NAMING THE COLMA HISTORICAL PARK AND COMMUNITY CENTER, AMENDING RULES FOR USE OF ALCOHOLIC BEVERAGES
13. Motion to Correct Vote to Approve February 9, 2005 Minutes and to Correct Vote to Adopt Resolution 2005-12 APPROVING CHANGES TO SENIOR HOUSING GUIDELINES
14. Motion to Adopt Resolution 2005-27 AUTHORIZING CITY MANAGER TO EXECUTE AMENDMENT TO JOINT EXERCISE OF POWERS AGREEMENT FOR THE COLMA FIRE PROTECTION AUTHORITY
15. Proclamation Declaring April 25 through May 1, 2005 West Nile Virus and Mosquito and Vector Control Awareness Week

*Items 16 and 17 reflect Council's direction from last month's meeting and were placed on this month's Consent Calendar for approval as to form.*

16. Motion to Approve the form of Resolution 2005-18 APPROVING A GENERAL PLAN AMENDMENT, USE PERMIT, TREE PERMIT, AND DESIGN FOR A PARKING LOT LOCATED AT 1680 HILLSIDE BOULEVARD (APN 011-341-650)
17. Motion to Approve the form of Resolution 2005-20 APPROVING CONDITIONAL USE PERMIT TO USE PROPERTY AT 435 C STREET, UNIT 3, FOR A HOME OFFICE

Action: On motion of Helen Fisicaro, seconded by Frossanna Vallergera, and carried, the COUNCIL APPROVED ITEMS 4, 5, 7, 9, 10, 11, 13, 15 & 17 OF THE CONSENT CALENDAR by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva					✓
Frossanna Vallergera	✓				
Claro Formalejo	✓				
Voting Tally	4	0			

Item 12. Motion to Adopt Resolution 2005-26 AMENDING ELIGIBILITY RULES FOR ATTENDANCE AT ADULT HOLIDAY PARTY, NAMING THE COLMA HISTORICAL PARK AND COMMUNITY CENTER, *AMENDING RULES FOR USE OF ALCOHOLIC BEVERAGES* was then considered.

On motion of Frossanna Vallergera, seconded by Helen Fisicaro and carried, the Council adopted Resolution 2005-26 by a 4-0 vote, with the following amendment to section 2.01.250: add a provision limiting the use of beer kegs to the kitchen and foyer.

*Council Member Fisicaro then recused herself from participating on Items 6, 8, 14 & 16 of the Consent Calendar and left the room due to a Conflict of Interest. She announced that, as to item 6, her husband's company is a subcontractor to the prime contractor for the project; as to item 14, her husband is a part-time employee of the Colma Fire Protection Authority; and as to items 8 and 16, her husband's company may bid the project.*

Action: On motion of Frossanna Vallerga, seconded by Larry Formalejo, and carried, the COUNCIL APPROVED ITEMS 6, 8, 14 & 16 OF THE CONSENT CALENDAR by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Philip J. Lum, Jr.	✓				
Helen Fisicaro				✓	
Joseph Silva					✓
Frossanna Vallerga	✓				
Claro Formalejo	✓				
Voting Tally	3	0			

*Council Member Fisicaro returned to the dais.*

### **PUBLIC HEARINGS**

18. **Consider:** Conditional Use Permit to Use Property at 2710 Hillside Boulevard, for a Home Office (APN: 011-154-110)

Report: Deputy City Planner Andrea Ouse gave the report and recommended that the Council make the findings set forth therein and grant a Conditional Use Permit to operate a home office for a business that provides consulting, support and development for international business and cultural understanding, subject to standard and project specific conditions.

Open to public.

Comments were made by:  
Applicant, Husham Haroun.

Closed to public.

Action: On motion to approve by Frossanna Vallerga, seconded by Helen Fisicaro, and carried, the Council approved Resolution 2005-28 APPROVING CONDITIONAL USE PERMIT TO USE PROPERTY AT 2710 HILLSIDE BOULEVARD, FOR A HOME OFFICE (APN: 011-154-110) by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva					✓
Frossanna Vallerga	✓				
Claro Formalejo	✓				
Voting Tally	4	0			

19. **Consider:** Use Permit Amendment to Use the Property at 480 Collins Avenue, Unit H, and Unit K, for a Design Office and Storage Area for Performing

**Design, Consulting and Planning Services for Photography, Fashion and Entertainment Events and Exhibits (APN: 010-421-160)**

**Report:** Deputy City Planner Andrea Ouse gave the report and recommended that the Council make the findings set forth therein and approve the Use Permit Amendment to expand an existing design office and storage area specializing in design, consulting and planning services for photography, fashion and entertainment events and exhibits from Unit H and Unit K at 480 Collins Avenue, subject to the standard and project-specific conditions.

**Open to public.**

**Comments were made by:**

**Dennis Fisicaro, 490 D Street.**

**Closed to public.**

**Action:** On motion to approve by Helen Fisicaro, seconded by Larry Formalejo, and carried, the Council approved Resolution 2005-29 APPROVING A USE PERMIT AMENDMENT TO USE THE PROPERTY AT 480 COLLINS AVENUE, UNIT H, AND UNIT K, FOR A DESIGN OFFICE AND STORAGE AREA FOR PERFORMING DESIGN, CONSULTING AND PLANNING SERVICES FOR PHOTOGRAPHY, FASHION AND ENTERTAINMENT EVENTS AND EXHIBITS (APN: 010-421-160) by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva					✓
Frossanna Vallerga	✓				
Claro Formalejo	✓				
Voting Tally	4	0			

## **OLD BUSINESS**

### **20. Consider:** Gateway, Park and Street Master Sign Program

Report: City Planner Mac Carpenter gave the report and recommended that the Council review and select among the alternatives listed therein, approve the Master Sign Program with the selected alternatives, and approve the proposed implementation strategies.

Open to public comments.

No public comments were made.

Closed to public.

Council directed staff to continue working with the Master Sign Program Subcommittee, which includes Council Members Vallerga and Silva, and bring the findings back to Council for further consideration.

Action: No action taken. Discussion item only.

### **21. Study:** Possible Official Recognition of "Mission Street" as the Street Name for Portion of Roadway in the Town North of BART Overcrossing

*Item 21 was pulled from the agenda.*

## **NEW BUSINESS**

### **22. Study:** FY 2005-06 Preliminary Budget

Report: City Manager Diane McGrath gave the report and recommended that the Council review and consider the 2005-2006 Preliminary Town of Colma Annual Budget.

Open to public.

Comments were made by:

Syd Airey, Susan B. Anthony/Wilderness Project.

Rosa Guerra, Shelter Network.

Closed to public.

Action: On motion to approve by Helen Fisicaro, seconded by Frossanna Vallerga, and carried, the COUNCIL ACCEPTED THE 2005-06 PRELIMINARY BUDGET AND DIRECTED STAFF TO PREPARE A FINAL BUDGET by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva					✓
Frossanna Vallerga	✓				
Claro Formalejo	✓				
Voting Tally	4	0			

Mayor Lum called for a 5-minute break.

**23. Study:** FY 2005-06 Preliminary Five-Year CIP Plan

Report: City Engineer Rick Mao gave the report and recommended that the Council review the updated Five-Year Capital Improvement Plan 2005/2006 through 2009/2010, direct Staff to complete the final plan and place this item on the agenda for the May 11<sup>th</sup> Council meeting for consideration and approval.

Open to public.

No public comments.

Closed to public.

Action: On motion to approve by Frossanna Vallerga, seconded by Larry Formalejo and carried, the COUNCIL ACCEPTED THE UPDATED FIVE-YEAR CAPITAL IMPROVEMENT PLAN 2005-2006 THROUGH 2009-2010, AND DIRECTED STAFF TO COMPLETE THE FINAL PLAN by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva					✓
Frossanna Vallerga	✓				
Claro Formalejo	✓				
Voting Tally	4	0			

24. **Consider:** Regulating Multi-Family Uses in Single-Family Residential Zones

Report: Deputy City Planner Andrea Ouse gave the report and recommended that the Council introduce an ordinance revising the Zoning Code to establish regulations regarding multi-family residential uses in single-family residential zoning districts.

Open to public comments.  
No comments were made.

Closed to public.

Action: Motion to approve by Frossanna Vallerga, seconded by Helen Fisicaro, and carried, the Council Introduced Ordinance 628 AN ORDINANCE REGULATING MULTI-FAMILY USES, BOARDING HOUSES AND ROOMING HOUSES IN SINGLE-FAMILY RESIDENTIAL ZONES by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva					✓
Frossanna Vallerga	✓				
Claro Formalejo	✓				
Voting Tally	4	0			

Action: On motion to approve by Frossanna Vallerga, seconded by Helen Fisicaro, and carried, the COUNCIL APPROVED READING THE ORDINANCE BY TITLE ONLY by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva					✓
Frossanna Vallerga	✓				
Claro Formalejo	✓				
Voting Tally	4	0			

The title was read by Philip Lum.

Items 25 and 26 were heard in reverse order. Council Member Fisicaro excused herself from the dais and left the room before Item 25 was heard after announcing that PG&E is her employer, and it would constitute a Conflict of Interest to participate in this matter.

25. **Consider:** Authorizing City Engineer to Enter into an Agreement with Pacific Gas and Electric Company (PG&E) to Construct Hillside Utility Underground Project, CIP Project 901



Report: City Engineer Rick Mao gave the report and recommended that the Council authorize the City Engineer to negotiate with Pacific Gas & Electric Company [PG&E] to Construct Hillside Utility Underground project, CIP Project 901, pending City Attorney's approval for compliance with the Public Contracting Laws.

Open to public comments.  
No comments were made.

Closed to public.

Action: On motion to approve by Frossanna Vallerga, seconded by Larry Formalejo, and carried, the COUNCIL AUTHORIZED CITY ENGINEER TO ENTER INTO AN AGREEMENT WITH PACIFIC GAS AND ELECTRIC COMPANY (PG&E) TO CONSTRUCT HILLSIDE UTILITY UNDERGROUND PROJECT, CIP PROJECT 901, IN AN AMOUNT NOT TO EXCEED \$750,000 by the following vote

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Philip J. Lum, Jr.	✓				
Helen Fisicaro				✓	
Joseph Silva					✓
Frossanna Vallerga	✓				
Claro Formalejo	✓				
Voting Tally	3	0			

*Council Member Fisicaro returned to the dais following the Council hearing Item 25.*

26. **Consider:** Motion to Introduce Fixing the Locations of the Three Official Bulletin Boards of the Town of Colma

Report: City Attorney Roger Peters gave the report and recommended that the Council introduce an ordinance changing the locations of the three official bulletin boards.

Open to public comments.  
No public comments were made.

Closed to public.

Action: Motion to approve by Frossanna Vallerga, seconded by Helen Fisicaro, and carried, the Council Introduced Ordinance 629 FIXING THE LOCATIONS OF THE THREE OFFICIAL BULLETIN BOARDS OF THE TOWN OF COLMA by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Philip J. Lum, Jr.	✓				

Helen Fisicaro	✓				
Joseph Silva					✓
Frossanna Vallergera	✓				
Claro Formalejo	✓				
Voting Tally	4	0			

Action: On motion to approve by Frossanna Vallergera, seconded by Helen Fisicaro, and carried, the Council approved Reading Ordinance by Title Only by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva					✓
Frossanna Vallergera	✓				
Claro Formalejo	✓				
Voting Tally	4	0			

The title was read by Frossanna Vallergera.

#### **COUNCIL CALENDARING**

- Regular May 11, 2005 Council Meeting 7:30 p.m.
- Regular August 2005 Council Meeting moved to August 24<sup>th</sup>.
- JPA Board Meeting Tuesday, April 19<sup>th</sup>

**REPORTS:**

- Fire JPA: City Manager Diane McGrath reported that Fire Chief Geoff Balton selected a consultant, Robert Olsen & Associates, to prepare a transition plan and a report to bring to the Authority Board regarding implementation of the Authority operations, together with an analysis of alternative strategies.
- City Council: Larry Formalejo will attend the C/CAG meeting Thursday, April 14<sup>th</sup>. Ongoing - El Camino Real Corridor.
- Helen Fisicaro and Larry Formalejo will attend the North San Mateo Council of Cities Meeting/Dinner on Thursday, April 21<sup>st</sup>.
- Larry Formalejo will attend the San Mateo Council of Cities Meeting/Dinner on Friday, April 22<sup>nd</sup> – Mayor Lum appointed Councilmember Formalejo to vote at this meeting on his behalf.
- Helen Fisicaro thanked Staff for hosting Susan B. Anthony 2<sup>nd</sup> Grade Outing on Tuesday, April 12<sup>th</sup>.

**ADJOURNMENT**

Council adjourned the Regular meeting at 9:41p.m., in memory of Leo N. Tealdi.

Respectfully Submitted,

Anita Landis Thorsnes  
Deputy City Clerk  
Approved by Council May 11, 2005